

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MCARTHUR TAYLOR,

Petitioner,

v.

CASE NO. 2:14-CV-10414
HONORABLE GERSHWIN A. DRAIN

STEVEN RIVARD,

Respondent.

**OPINION AND ORDER DENYING APPLICATION TO PROCEED IN FORMA
PAUPERIS AND DISMISSING HABEAS PETITION WITHOUT PREJUDICE**

Michigan prisoner McArthur Taylor ("Petitioner") has submitted a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and an application to proceed *in forma pauperis*. Petitioner's certificate of prisoner institutional/trust fund account activity states that he had a current spendable account balance of \$105.26 in his prison account as of December 18, 2013 when an administrative officer of the Michigan Department of Corrections certified his financial statement. The Court concludes from the financial data that Petitioner has not established indigence and that he should be able to pay the \$5.00 filing fee for this action. Accordingly, the Court **DENIES** Petitioner's application to proceed *in forma pauperis* and **DISMISSES WITHOUT PREJUDICE** the petition for writ of habeas corpus. Petitioner may file a new action with payment of the \$5.00 filing fee.

IT IS SO ORDERED.

/S/Gershwin A Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

Dated: January 31, 2014

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on **January 31, 2014.**

s/Tanya R. Bankston
TANYA R.BANKSTON
Case Manager & Deputy Clerk